

VZCZCXRO7303
PP RUEHBC RUEHDE RUEHKUK RUEHROV
DE RUEHRB #0606/01 0961445
ZNR UUUUU ZZH
P 061445Z APR 07
FM AMEMBASSY RABAT
TO RUEHC/SECSTATE WASHDC PRIORITY 6257
INFO RUEHEE/ARAB LEAGUE COLLECTIVE
RUEHMD/AMEMBASSY MADRID 5684
RUEHLO/AMEMBASSY LONDON 3267
RUEHFR/AMEMBASSY PARIS 4589
RUEHCL/AMCONSUL CASABLANCA 2872

UNCLAS SECTION 01 OF 02 RABAT 000606

SIPDIS

SENSITIVE
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STATE FOR NEA/MAG

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [MO](#)
SUBJECT: PARLIAMENTARY AFFAIRS MINISTER DEFENDS
ANTI-CORRUPTION LEGISLATION

REF: 06 RABAT 2173

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¶1. (SBU) Summary: In a March 27 meeting, Parliamentary Affairs Minister Mohamed Said El Alami told Ambassador that new legislation before parliament will require senior GOM officials to declare their assets. Contrary to the charges of some members of parliament and press speculation, the Minister insisted that the law will also be applied to Ministers and other royally nominated positions. El Alami said the legislation, intended to increase government transparency, is still encountering resistance within parliament, especially in the upper house. End Summary.

¶2. (SBU) In a March 27 meeting with Ambassador, Parliamentary Affairs Minister Mohamed Said El Alami insisted that press speculation claiming Ministers and other appointed officials would be excluded from new legislation requiring select government officials to declare their assets is incorrect and unfounded. (NB: As the legislation currently stands there are separate bills referring to the Chamber of Representatives, Chamber of Councilors, Constitutional Council, Judges, Court of Accounts, and Civil Servants.) In January, the King announced that Ministers and other senior government officials nominated by royal decree will also be subject to this legislation. El Alami, however, noted that Ministers and other nominated officials would not be specifically mentioned in the legislation, but that the palace would release a decree obligating them to declare their assets. This caveat was not initially understood by members of parliament, which resulted in "uninformed comments" alleging that they were unfairly singled out by the government, added El Alami.

¶3. (SBU) While the government has proposed new legislation, El Alami explained that the idea of declaring assets is not a new concept in Morocco as some have claimed. The current legislation builds on a law that has been on the books since 1992 (law n. 192-143). The 1992 bill is full of flaws, lacks an effective implementation mechanism, and as a result, has never been properly enforced, according to El Alami. (Note: The current legislation targets a wide range of financial resources; including real estate, bank accounts, shareholdings, securities, inheritances, vehicles, contracted loans, and other high value items, such as antiquities. End Note.) He highlighted the government's new approach, which includes 6 separate bills that complement the 1992 law, as a positive step towards ensuring the effective enforcement of the law. The proposed legislation would require

approximately 730,000 people to declare their assets, according to the ministry, which has resulted in calls for the creation an independent oversight body under the Prime Minister's control -- reportedly not included in the proposed legislation.

¶4. (SBU) El Alami maintained that the objective of the legislation is to increase government transparency and argued that no political party, member of parliament, or government officials should oppose an initiative that intends to inject a "sense of ethics" in to the government structure. For their part many members of parliament, particularly upper house councilors, have (incorrectly) assumed that their immunity status should extend to the obligation to declare assets, explained El Alami. (NB: After a government investigation related to numerous reports of corruption or improper activities surrounding last September's upper house election, several members of parliament and local government officials received jail sentences on corruption-related charges. See reftel)

¶5. (SBU) Despite the government's recent efforts to clarify this contentious issue, some members of parliament will continue to express their objection to the legislation, unconvinced of the need to publicly divulge what they consider sensitive and personal information. The issue will be high on parliament's spring session agenda, which kicks off on April 13.

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